

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of
THE COMMONWEALTH OF PUERTO RICO et al.,
Debtors.¹

PROMESA
Title III
No. 17-BK-3283-LTS
(Jointly Administered)

ORDER CONCERNING RESPONSE OF ROBERT ANEL DÍAZ-MORALES
TO FIVE HUNDRED SEVENTY-EIGHTH OMNIBUS OBJECTION (NON-SUBSTANTIVE)

The Court has received and reviewed the response to the *Five Hundred Seventy-Eighth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, the Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Claims Asserting Liabilities Owed by Entities that are not Title III Debtors* (Docket Entry No. 24749 in Case No. 17-3283) (the “578th Omnibus Claims Objection”), filed by claimant Robert Anel Díaz-Morales (the “Claimant”). (Docket Entry No. 24878 in Case No. 17-3283 (the “Response”).)

In addition to responding to the 578th Omnibus Claims Objection, the Response

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

seeks relief from the automatic stay pursuant to 11 U.S.C. § 362(d). (See, e.g., Response at 12-30.) Under Puerto Rico Local Bankruptcy Rule 4001-1(a), “A motion for relief from stay shall not be combined with a request for any other type of relief unless so authorized by the court” P.R. LBR 4001-1(a). Claimant’s request for stay relief is procedurally improper in combination with a response to a claim objection.

Accordingly, the Response will be deemed to be solely a timely response to the 578th Omnibus Claims Objection, and any additional or different relief requested is hereby denied without prejudice.

Any additional relief in the form of relief from the automatic stay or from the injunctive provisions of the Commonwealth’s plan of adjustment must be requested by separate motion and in compliance with the *Seventeenth Amended Notice, Case Management and Administrative Procedures* (Docket Entry No. 24726-1 in Case No. 17-3283).

The Response also contains representations as to Claimant’s efforts to meet and confer with the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”) and the Puerto Rico Fiscal Advisory Authority (“AAFAF”) prior to requesting stay relief. (Response at 2.) The Commonwealth’s representatives are ordered to meet and confer with Claimant’s counsel regarding, inter alia, the continuing necessity of the stay of Claimant’s action if, as the Commonwealth has asserted in the 578th Omnibus Claims Objection, the

Commonwealth bears no liability for Claim No. 46107.

SO ORDERED.

Dated: August 14, 2023

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE